A REVIEW OF THE STATE OF THE BRITISH NATION.

Tuesday, February 1. 1709.

I Hope, the Reader will bear with the Interruption of the Subject of our Laſt, for this one Paper only, the Neceſſity of the preſent Caſe requiring it: I am now to ſpeak to the main Queſtion in Debate concerning Debtor and Creditor, and it is reduc'd to this ſhort Head; for the Preſervation of Perſonal Credit it is neceſſary, eſpecially in *England*, that the Perſon of the Debtor be liable to be atrach'd for Payment of his Debt, and it is more his Advantage that it ſhould be ſo, than that his Body ſhould be free, till Judgment be obtain'd, and his Goods be liable to be arreſted in mean Proceſs. *Here I left off.*

I have firſt granted this to take away all Pretence from thoſe Gentlemen that would alledge, that the Arguments for Liberty to Debtors are brought only *in Bar* of neceſſary Recoveries of juſt Debts——— I therefore allow all that a Creditor can reaſonably aſk againſt his Debtor, to *purſue* him, *arreſt* him, *impriſon* him, and uſe all the Methods conſiſting with Reaſon, Religion, and Humanity, to compel him to pay.

But when it comes to Impoſſibility, that the Man is perfectly unable ——*Really has it not*, and cannot raiſe it; to go farther with him *than that*, I ſay, is all Starving, Ruining, Diſtraction and Murther, and nothing ſo barbarous ought to be permitted in a Chriſtian Country; and this is the Sum of the Controverſie.

I know 'tis objected, that all the Laws, you have made to relieve the honeſt indigent Debtor, have been only Sanctuaries for Rogues, and have let thoſe go that have merited no Compaſſion, rather than thoſe that have.

Now tho' this were true, which however does not altogether appear, yet will it not anſwer the Argument, but only turn the Queſtion thus——Since you cannot make a Law, that will deliver the honeſt indigent Bankrupt without the knaviſh, tricking, fraudulent Thief, *whether muſt all the miſerable Objects of real Compaſion be ſtarv'd, murther'd, and their Families ſent a-begging, to prevent the knaviſh Bankrupt taking Advantage of the Act?* ——This is in ſhort the Queſtion I am now upon.

There never was or will be an Act made, *till you get a Parliament of Angels, that can ſee Inſides of Things and of Men too*, that could or can make a Law for the Relief of an honeſt Man, that a Villain will not lay Claim to, and yet thoſe Laws are not at all the leſs neceſſary for that. *For Inſtance*, The ſeveral Laws of Manſlaughter, Chance-Medley, Inadvertence, and the like, in the Caſes of killing one another; how many a premeditated malicious Murther, how many raſh, paſſionate, ungovern'd Furies of Men, how many Bullies and Bravoes, that have no Regard to the Life of a Man in Competition with their immediate Rage, have eſcap'd at a Bar of Juſtice, under the Colour and Pretence of Self Defence, Chance Medley, and no propens'd Malice? NOW, *tho' this be true*, and ſuch People as theſe do eſcape, *under the Shelter of theſe Proviſo's in the Law*, yet was it never thought reaſonable by any Man, that to prevent the Eſcape of a real Murtherer, thoſe Laws ſhould be taken away, and all Killing be accounted Murther; by which the peaceable Man, who being aſſaſſinated by a Bully in the Dark, or at the Corner of an Alley, and kills him in Obedience to the Law of Nature for his own Preſervation, ſhould die the Death of a Murtherer, and no Difference be made between Innocence and real Guilt.

I think, the Parallel will hold very exactly, and in every Branch of it——The fraudulent Bankrupt, and the honeſt Bankrupt ſtand juſt as the murthering Villain and the innocent Defender of his own Life ſtand in the Eye of the Law, and the Caſe of Proſecution for Debt ſtands juſt as the Caſe of Proſecution for Murther—— The Laws of GOD are alike in both, but the Laws of Man make a moſt unreaſonable and abhor'd Difference.

The Murtherer, either in Purſuit of Malice, Revenge, or Theft, in the Fury of Wine, or the Madneſs of Rage, takes away an innocent Man's Life——*Let him die, no Man pities him.* The deſigning, cheating, fraudulent bankrupt, on purpoſe to rob his Neighbour, on purpoſe to ſecure a Bag to himſelf as a Reſerve, or perhaps to get an Eſtate out of other Mens Loſſes, breaks, abſconds, conveys away his Effects, and ſtanding at Bay with his Creditors, pretends to make a Compoſition with them of Part for the Whole, being able to pay more, but reſerving it as the Purchaſe of his Villainy——This is a Villain, that is a Plague to Commerce, a Contagion to Credit in Trade, a ſecret Stab to the Vitals of his honeſt Neighbours BEING *in Trade*; of him I ſay, let him die in a Gaol, or any where, *Let him flee to the Pit, let no Man ſtay him.*

Again, The Manſlayer is innocently travelling on the Road, or walking the Streets on his lawful Occaſions, and meeting *a wild Beaſt* in human Shape, *a Tyger* in Mans Cloaths, a drunken Fury, or a Whore-mad Bully, he attacks the honeſt Man in the Street, draws upon him, puſhes at him, and does his beſt to murther him; the poor Man ſtriving with him for his Life gets the better, and kills the Murtherer—— *Shall this Man die?* — Shall this Man be us'd ill? —NO, NO— Cities of Refuge were prepar'd by the Law of GOD for one Sort, and an immediate Freedom for the other; and our Laws take a great and very needful Care of the Lives of ſuch.

But here the Caſe alters. The *honeſt, innocent Tradeſman* drawn in to truſt one of theſe fraudulent Thieves, I mention'd above, his Stock is broken, the Cheat turns Bankrupt, and runs away with his Effects, and by ſeveral ſuch Loſſes the poor Man's Reputation is ſtabb'd, and he is forc'd to fail, and.

and call his Creditors together, and the poor Man honeſtly makes the beſt Offer he can, and ſtrips himſelf entirely ro ſatisfie them.

Here now lies the Defect; the Law, which ought as before to have a Tenderneſs and Regard to the unfortunate, but honeſt and indigent Creature, takes no Notice of the Difference in the Cauſes of Things, but purſues him with the ſame Violence, and makes him equally miſerable with the other.

Here lies the Grievance; The Diſtinction is not made as is in Caſes of Murther and Manſlaughter, between the Willful and the Caſual, but the Unhappy are the Criminals, let the Occaſion be as it will; ſome Objections are rais'd againſt the Relief demanded in this Caſe, and I'll touch them briefly here.

Firſt, *They cannot be diſtinguiſh'd* —— This is anſwer'd above, and it is not enough to ſay, they cannot be diſtinguiſh'd, for they *muſt be diſtinguiſh'd*, that is, the innocent Man muſt not be deſtroy'd; if you can pick the Thief out of the Croud, it is your Work, and you are welcome, but you are not to kill the Innocent with the Guilty; this is juſt as if a Traytor being purſued by a Troop of Soldiers, and mixing with a Croud in the Streets, they ſhould fire among the Croud, and kill them promiſcouſly, becauſe the Thief was among them; this would be very odd Juſtice, and ſuch Juſtice is it to let fly the Bullets of the Law among all unfortunate Tradeſmen under the indefinite of Bankrupts, becauſe ſome among them are willful Cheats, and defraud their Creditors. How much Blood lies already at our Doors upon this Score, he only knows that will demand an Account for it.

Secondly, The next Objection is, that when a Man's Diſaſters are viſible, and his Offers reaſonable, Creditors are always reaſonable——And to back this Word always, they give Examples of *Some*—— But beſides the wrong Logick of it, that a few Particulars cannot prove the general, it might be repell'd with Thouſands of languiſhing Families, now reduc'd to the utmoſt Diſtreſſes, and miſerable Heads of Families, now ſtarving and periſhing in Priſons and privileg'd Places, who would with all their Souls come as naked from thence, as they did from their firſt Priſon, their Mothers Belly, to have but their Liberty to work for Bread, and for the Subſiſtence of their Families.

But after all, if what the Scripture ſays be right, that *when a Man has Nothing to pay, thou ſhalt not take his Bed from under him.* It ſeems very reaſonable, that this ought not to be left to the abſolute Diſcretion of the Creditor; for Man, in whom is no Mercy, when let looſe upon his Fellow-Creature, is the worſt Sort of Beaſt of Prey. The *other Brutes*, when they devour, it is *to eat* and ſatisfie Hunger, but he devours to gratifie his meer Luſt of Revenge, Malice, Fury, and Paſſion—— And I think, no Crime can reduce a Man to a Condition ſo low, as to make it reaſonable to be left ſo much in the Teeth of a Deſtroyer; the Law ought only to puniſh, it ought not to be left in the Power of one Subject to oppreſs another.

This will lead me to the ſecond Enquiry, what has been done, and what has not been done in this Nation, towards the happy *Medium*, ſo neceſſary to be found out in this Caſe, between a Debtor's Knavery and a Creditor's Cruelty. Of which in our next.

ADVERTISEMENTS.

A General Meeting of the United Creditors of King *Charles* and King *James*, is appointed to be on *Thurſday* the 3d of *February*, at their Place of Meeting in the *Old Pallace Yard* by the *Parliament-Stairs*, to ſign their Petition, and to fix a Day to put it in. All Subſcribers are deſir'd to be there at Two of the Clock in the Afternoon, and thoſe that will joyn with them may be admitted, if they pleaſe.

An

An Advertiſement of CHARITY,

BY Sir *WILLIAM READ* Her Majeſty's OCCULIST, Who has by the Bleſſing of GOD, on his long Experience with unuſual Succeſs, cur'd great Numbers of People of Cancers, Ulcers, Fiſtulas, Wens, Double and Single, Hair Lips, Wry Necks, and other Deformities, with Deafneſs tho' of long Continuance, but eſpecially of Blindneſs, Dimneſs of Sight, Cataracts, and all Diſtempers of the Eyes, and even many that have been born Blind.

He now gives Notice, That during the three Current Months of *January*, *February*, and *March*, the moſt proper Seaſon for ſuch Operations, He ſhall continue in Town at his Houſe in *Durham Yard* in the *Strand*, where all the Afflicted in the aforeſaid Caſes may apply to him.

And particularly He publiſhes this to inform the diſtreſſed Poor, That he continues to give them his Advice and Aſſiſtance *Gratis*, eſpecially to ſuch Seamen and Soldiers as have receiv'd any Injury to their Sight in the Service of their Country whom he has always aſſiſted, ever ſince the Beginning of King *William*'s Reign, to whom he was alſo ſworn Occuliſt; He has cur'd great Numbers of them in meer Charity, who muſt otherwiſe have been uſeleſs to themſelves, and chargeable to the Government, and reſolves ſtill to continue his Charity to them as freely as ever.

Such as ſend to his Houſe may alſo have at reaſonable Rates his reſtorative Medicines for the Eyes, which prevent Suffuſions or Cataracts in their Beginnings, and clear and preſerve the Sight; as alſo his famous Stiptick Water for Stopping of Blood, and an excellent Medicine for curing Cancers, Ulcers, Fiſtulas, &c.

Alſo the Lady *READ* has by long Experience and very ſucceſsful Practice arriv'd to an extraordinary Skill in Couching Cataracts, which in Sir *WILLIAM*'s Abſence, ſhe performs with great Dexterity and Succeſs.

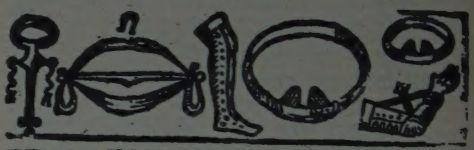
In a few Days will be publiſh'd,

THE *SCOTS NARRATIVE* Examin'd, with a Vindication of the Magiſtrates of *Edinburgh* in particular, and the Government of *Britain* in general, in their Proceedings againſt the *Epiſcopal Diſſenters* in *Scotland*.

THE Famous LOZENGES, being effectual in all Scorbutick Caſes; they eaſe Pains in the Head and Stomach, cauſe a good Appetite, purifie the Blood, and give ſpeedy Reliefin Rheumatiſms, Dropſie, and Gout, and totally deſtroy the very Seed of Worms.

They cure Agues and Fevers of all Sorts, give preſent Eaſe in the Cholick, Stone and Gravel, cleanſe the Body after hard Drinking; as alſo after the Small-Pox, Meaſles, and Child-bearing, and are a more general Gathartick Medicine than any yet known.

Prepar'd only by R. *Owner*, Apothecary, at the Peſtle and Mortar, in *Eaſt Smithfield*.



BARTLETT's Inventions for the Cure of Ruptures, which have gain'd ſo Univerſal Eſteem, are now, yet farther Improv'd to ſo great a Nicety, that one of his Steel Spring Truſſes of the largeſt Size, ſeldom Exceeds 4 ounces in Weight, and one of the ſmalleſt rarely exceeds a quarter of an Ounce, and are ſo well adapted to the ſhapes of human Bodies, that they are extraordinary eaſy even to New-born Infants, and Intirely keep up the Ruptures of what Bigneſs ſoever. Alſo divers Inſtruments to help the Weak and Crooked. By P. Bartlet at the Golden Ball by the Ship Tavern in Preſcot Street in Goodmans Fields, London.

NOTE, He forges and finiſhes his Truſſes himſelf, by which means he Improves his Inventions.